

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PEDRO A. BRAMBILA, and
DOMINGA BRAMBILA,

Plaintiff,

v.

REO BAY AREA, LP, JACKIE
WARDELL, COURT CLERK, CONTRA
COSTA COUNTY SUPERIOR COURT,
KIMBALL, TIREY & ST. JOHN, LLP,
BANK OF AMERICA, NA.

Defendant.

No. C 11-03202 SI

**ORDER TO SHOW CAUSE WHY CASE
SHOULD NOT BE DISMISSED FOR
FAILURE TO PROSECUTE; AND
VACATING DECEMBER 9, 2011
HEARING**

On June 28, 2011, plaintiffs filed this suit in connection with the foreclosure of a home located at 410 Madera Street, Brentwood, California. On July 14, 2011, defendants REO Bay Area, LP and Kimball, Tirey & St. John LLP filed a motion to dismiss. The Court granted defendants' motion to dismiss but granted plaintiffs leave to amend. Doc. 17 at 8.

On September 29, 2011, plaintiffs amended their complaint and included two new defendants: Jackie Worden and Bank of America, N.A. Worden and Bank of America have moved to dismiss this case on October 24, 2011 and October 28, 2011, respectively. The motions are scheduled for a hearing on December 9, 2011. Pursuant to Civil Local Rule 7-3(a), plaintiffs' oppositions were due by November 7, 2011 and November 11, 2011. Plaintiffs have not yet filed any oppositions, nor have they communicated in any way with the Court concerning these matters.

Plaintiffs are hereby **ORDERED TO SHOW CAUSE in writing to be filed no later than**

1 **November 26, 2011**, why this case should not be dismissed without prejudice for failure to prosecute.
2 *See* Fed. R. Civ. Proc. 41(b). Plaintiffs are notified that an inadequate or untimely response will result
3 in dismissal. **The December 9, 2011 hearing on defendants' motion to dismiss is VACATED, and**
4 **will be rescheduled if necessary.**

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7 **IT IS SO ORDERED.**

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9 Dated: November 16, 2011



SUSAN ILLSTON
United States District Judge